

**REMARKS**

Claims 1-45 were previously pending in the present application. Applicants appreciate the notice of allowance for claims 1-33 and 40-45. No claims have been canceled or added.

Reconsideration of this application in light of the above amendments and the following remarks is requested.

**Rejections under Ingenito**

Claims 34-39 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,932,879 to Ingenito et al. ("Ingenito").

The PTO provides in MPEP §2131 that

*"[t]o anticipate a claim, the reference must teach every element of the claim...."*

Therefore, to sustain the rejection with respect to amended claim 34, Ingenito must contain all of the claimed elements of claim 34. However, Ingenito, inter alia, does not disclose "the patient simulator comprising first and second lungs, a pneumatic module adapted for delivering air to the first and second lungs, and a valve adapted to control the flow of air from the pneumatic module to the first and second lungs," as required by amended claim 34.

Thus, Ingenito fails to teach all of the claimed elements of independent claim 34. Claims 35-39 depend from and further limit claim 34. Therefore, Applicants respectfully request that the Examiner withdraw the §102(b) rejections of claims 34-39.

**Conclusion**

It is clear from all of the foregoing that claims 34-39 are in condition for allowance. A notice of allowance was previously given for claim 1-33 and 40-45. Therefore, it is believed that all claims 1-45 are in condition for allowance. Favorable consideration and an early indication of the allowance of the claims are respectfully requested.

Should the Examiner deem that an interview with Applicant's undersigned attorney would expedite consideration, the Examiner is invited to call the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



David L. McCombs  
Registration No. 32,271

Dated: APRIL 17, 2006

HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 972/739-8636  
IP Facsimile: 214/200-0853  
R133874.1

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in  
an envelope addressed to the Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450

on

4-17-06

Gayle Conner

Signature of person mailing paper and fee